P

App F IX 4

1928. ✓

File No 28-2

Previous References
mc 60+27 AS 133, 154
201, 202 & 203

Serial Nos. 24, 76, 79

Later References
mc 36-29, Ab 33, 28, 45, 46 & 47

# General and Revenue Secretariat.

Serial Nos

**Part B for** mc 29

SUBJECT

petition from malavalli Ramaiah & others complaining against the acquisition of certain properties in Sultan Chatram Road

JF 2571

1107

General and Revenue Secretariat | Tnl File No 2 of 192

Serial No.

Petition Dr 6 7
Messrs Malcomson
Chinnaiya & Co
against the acqn
proportion in Sub
Road, Bangalore.

1) The Connected file which contains the plan of the lands proposed to be acquired is placed below with reference to the Members orders on the petition

2) Draft to the Commissioner submitted for orders

#1

Ch 19/9 RCG

3) Lieut Member) RCG 19/9

4) 4 copies issue CSK 21/9 pm RCG

5) Issue 22/9/27

Rs 2325 Rs 25 Rs Commr. Towards a/c Engineers Ch. E. H

Sub

CHIEF SECRETARIAT
13 SEP 1926

SECRETARIAT
14 SEP 1926
2937

NOTE—Contn. sheet.

WD 6881—6775—60,000—24-8-27

General and Revenue Secretariat

File No 23 of 192 Requisition of Properties, Sabedar Cheha Road, Bangalore City

Serial No

2257

6) I inspected the properties to be acquired on the 1st October 1928 with Mr Mascarenhas, officiating Municipal Commissioner and the Municipal Engineer Of the properties covering the proposed acquisition, one is very insanitary and portions of others are also dirty Some portions of the property consist of pukka built houses in good condition and one property also contains a temple, a pond and other structures which are in a very good condition

7) In the acquisition, such pukka portions of these properties may well be left out The cost of acquisition is estimated at Rs 80,000, but if all the properties are acquired, I fear, the cost will go up considerably If some portions are left out as suggested, perhaps, the cost may be kept within the figure

8) As regards the financial aspect of the scheme, I understand from the Municipal Commissioner that no detailed projects have been made as to how the lands are to be made use of after acquisition and no fairly reasonable estimates have been prepared as to what the sale of the sites would fetch and so on From what I understand from the oral explanations given on the spot, I gather that the sale of the sites might fetch about 40 to 45 thousand rupees against the expenditure of Rs 80,000 in the acquisition

General and Revenue Secretariat. File No. 23 of 1928

Serial No.

(9) In the circumstances, it seems to me that the whole project should be revised and its financial aspect worked out more correctly. If the acquisition is not likely to be self-supporting it will have to be considered whether other suitable action may not be taken under the Regulation in respect of the more insanitary parts of the properties. The Municipal Commissioner will be requested to prepare and send up a full note on these points.

DEWAN'S OFFICE 10 NOV. 1928 No. 9219

CHIEF SECRETARY'S 20 1928

Note—Contn. sheet

562 / 4 C

App. F III—8]

General and Revenue Secretariat. | Mel File No 23 of 1925

Serial No. 76

From The President, Municipal
No- L A-P-401
With reference to
states that the
acquisition of
in Subedar Chatram
may be dropped as
by the Mel Cl on 1.6.29

17/ The papers may be filed
No further action
necessary submitted for
orders.
22/6/29.

Mel 22/6/29

17/ Preliminary notifications for the acquisition of [illegible] properties have been published and it is apprehended that the acquisition of the properties along the Subedar Chatram Road have been ordered by the Municipal Council to be dropped. This road is the main road connecting [illegible] to the city [illegible]

Note—Contn. sheet.

WD 8884—GPS—60,000—31-5-27

Serial No.

a very congested position both on account of people & of its being terribly inhabited the acquisition of the properties as proposed in the Lucas Members minute would remove this congestion and appeal to that vista which is contiguous with the properties to a decent extent and become quite worthy of being styled an Esplanade by itself. The main ground upon which the acquisition is proposed to be dropped is stated to be that it is merely supplanting Scheme Eliminating the temple & prison buildings from being duly used to acquisition proceedings what would remain would be only a few Chattrams & Rowdy Public wales & waste lands. The estimated cost of acquiring these Chattrams & lands seem to be somewhat magnified and this view, is the view held by the Rev Comm who has stated that some of the properties have been overestimated - vide last para. In the circumstances the Presidency may be asked to have the properties Valued by and submit a report to Govt. If it will then that the Scheme may be passed to be a supplementary one

28-6-29

OFFICE OF THE COMMISSIONER OF POLICE
28 JUN 1929
No. 10812

* —Contn. Sheet

(6) 5m—VD/1431—GPS—10.000—20-4-29

Serial No.

22) The Road is no doubt narrow & parts of the locality immediately bordering on the road are overcrowded & many see what the Municipality can do to improve the sanitation by opening the houses under the Act. Perhaps a limited acquisition would be useful & helpful

23) The President may be asked to consider all these aspects.

CEX 8/7 Draft. Sec 9/7

24) Draft submitted.

Clerk 9/7/29 Sec 9/7 (Sd) Rees

DS 10/7

The draft is in accordance with my note. Put up according to Secretary's minute and to the post up

Sec 15/7 (Sd)

Draft submitted.

Clerk 15/7/29 Sec 15/7 (Sd) Rees

DS 17/7

Secretary Sec 18/7 (Sd)



WD 61284—GPB—30,000—29-4-29

956 / 4

General and Revenue Secretariat

nil File No 2

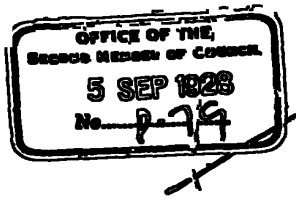
App F III—2]
of 192 9

Serial No.

79

To The president, [illegible] mc
no - L507 of 20.7.29
States that the [illegible] Road is narrow & part of the locality immediately bordering the road are overcrowded & that the Municipality has to do what it can do to improve the sanitation by exercising its, under the Regulation & to acquisition bond [illegible] useful & helpful

GEN & CTT
25 JULY 19
[illegible]




Papers -

Let me see
file -

C&C
57

To

The Second Member in Council,

Bangalore.

1157

(T.

Petitioners.

Malavalli Kamiah and Chinnagiriappa,
Sons of Malavalli Chikkathimmappa,
alias Papanna, residing in No.77,
Kilari Road, Bangalore City.

***************

719 ml 28-28-24

1. The petitioners respectfully submit that they have come to know that properties bearing Municipal Nos.1/6 and 1/7 situated in Subedar Chatram Road, Bangalore City, commonly known as Malavalli Giriyappa's Chatram are to be acquired under the Land Acquisition Regulation for putting up sanitary cottages.

2. The said properties consisting of temple of Eswara and Anjanaya, chatram for the use of the public and other buildings and the lands attached thereto belong to ancestors.

3. Malavalli Thimmappa, Malavalli Chindagiriappa, Malavalli Chikkagiriappa, Malavalli Chindagiriappa's son Thimmayya who were the owners of the properties propositus executed a Deed of Gift dated 23-10-1885 and registered as No.1800 of Book No.1, Vol.21 pages 312 to 317 and thereby declared that the properties including the temples, chatram etc., should henceforth be charitable properties over which they or their heirs should not have any power to alienation and also endowed the lands behind the chatram for the benefit of the temples the profits accruing from the lands, temples etc., should be used for the worship in the temples.

4. The petitioners submit that since then the charity is being maintained and puja is being conducted in the temple, and it has been of great use for people living in the

the locality and also the sarkmen who may happen to go over to this place.

5. The petitioners submit that as the properties are already being used by the general public there is no necessity to acquire the properties as a whole. In case the Government decide upon acquisition of other properties in the neighbourhood for extension and building of sanitary houses, the temple and the chatrum will be very useful also to the people who may occupy the said sanitary houses.

6. The petitioners are the sons of Chindagiriapp's son Thimmiah, one of the signatories of the deed of gift above referred to and are very much interested in the continuance of their family charity.

7. The petitioners respectfully pray that your Honour may be kindly pleased to order that the charitable properties in question may not be acquired, for which act of kindness they will ever be grateful.

Bangalore,
D/ 5th September 1928.

Petitioners.

10

A F F VI Gl]

SUBJECT .....

Section 9nl
File No. 23-28
Serial No. 27
No. 2321/Sec 1

Diary No. of letter replied to ..

General and Revenue Secretariat
( )
the 192

To .....

Date of issue. 25/9-28

Dear Sir,

Signed by Sec. L. & R. I

I am desired to forward herewith a copy of petition dt 6th Sept 1928 from Messrs Malavalli Ramaiah and others praying that certain Charitable properties attached to Subadar Chatram Road and

List of enclosures. ..

Copied by ..

Examined by ..

over

If ~~you and Counsel~~ to be agreed, may not be the next counsel to be engaged and to ~~inform you that the~~ Second ~~Instructed~~ Member of Counsel desired to speak ~~with to~~ ~~you in the matter and so.~~ to place ~~to~~ to inquire if the parties have prepared their respective cases before submitting proposals for the issue of declaration statement In the meantime, the second Member of counsel will be glad to ~~respect to~~ place at 5 PM ~~with you~~ on the 9th October 26

Yours truly

PLL

To

The Paul Comm B'City

through the Registrar

16/9

12

Government of His Highness the Maharaja of Mysore,
General and Revenue Secretariat.

Dated, Bangalore, the 25th September 1928.

IMMEDIATE.

No. L. 2321/mel 23-28-27

Dear Sir,

I am desired to forward herewith a copy of petition dated 5th September 1928, from Messrs. Melayelli Kamiah and Chinnagiriappa praying that certain charitable properties situated on Subedar Chattram Road and proposed to be acquired may not be acquired by the Municipal Council and to enquire if the parties have preferred their objections with reference to the preliminary notification published in the Gazette. In any case, the question may be examined before submitting proposals for the issue of declaration statements. In the meantime, the Second Member of Council will be glad to inspect the place with you at 8 A.M. on the 1st October 1928.

Yours sincerely,

K S Narayanaswamy

To

J.V. Mascarenhas, Esq., B.L., C.I.E., D.P.H., D.T.M.,
Municipal Commissioner, Bangalore City, THROUGH
the President, City Municipal Council, Bangalore.

K.M.R.S.
25/9.

Mc 23 r

13

To

The Ml Commr Bang lore City
HROUGH
The President City M l Bangalore

---

L3827/a27 11 28

S i r

In continuation of this office letter No L.2321/Ml -3-28-27 dated 25-9-1928 forwarding a petition from Messrs Malavalli Kamiah and Chinnagiriappa praying that -- certain charitable properties situated on Subedar Chatram Road, ~~which are proposed to be acquired~~ may not be acquired, ~~xxxxxxxx~~ by the Municipal Council I am directed to state as follows -

Some Of the properties ~~forming~~ the proposed acquisition ~~one is very~~ ~~portions of others are also~~ ~~properties~~ consist of pukka built houses in good condition and one property also contains ample ~~a pond~~ and other structures which are in a very good condition ~~It seems therefore~~ In the acquisition of ~~that such pukka portions of these~~ properties ~~may well be left out in the acquisition~~ ~~does not~~ ~~for widening~~ The cost of the whole acquisition as now proposed is estimated at Rs.80 000/- But if all the properties are acquired, it is possible that the cost may considerably exceed the estimate On the other hand the cost of acquisition may be kept well within the figure if some portions are left out as - - suggested above. It is also ~~to be pointed~~ ~~out that~~ the sale of sites ~~would~~ fetch about Rs 40 to 45/- thousand rupees against the estimated expenditure of Rs.80 000/-

Sanitary condition of locality

In these circumstances it seems to Govt

14

its financial aspect worked out more correctl and that the acquisition is not likely to be self-supporting, it may also be considered whether other suitable action may not be taken under the Regulation in respect of the more insanitary parts of the properties

I am therefore to request you to be so good as to consider the above aspect and prepare and send up a full note in the matter after ascertaining the views of [redacted]

I have etc ,

DRAFT) [redacted]

Chief Secr[redacted]ovt

17/11

F M R 1
17/11
CA

15

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 26th November 1938.

No. L 3827 / ne vb 28-38

From

N MADHAVA RAO Esq., B.A., B.L.,
*Chief Secretary to the Government of His Highness the Maharaja of Mysore.*

To

J.V. Manoharrao, Esq., M.B., C.M., D.P.H., D.T.M.,
Municipal Commissioner, Bangalore City, THROUGH
the President, City Municipal Council, Bangalore.

Sir,

In continuation of this office letter No.L.2371/Mi.33-38-37 dated 25th September 1938 forwarding a petition from Messrs. Malavalli Keshab and Chikmagirappa, praying that certain charitable properties situated on Subedar Chattram Road, may not be acquired by the Municipal Council, I am directed to state as follows:-

2 Some of the properties proposed for acquisition consist of pukka built houses in good condition and the property also contains a temple, a pond and other structures which are in a very good condition. The acquisition of such properties does not seem to be quite necessary for improving the sanitary condition of the locality The cost of the whole acquisition as now proposed is estimated at Rs.50,000/-. But if all the properties are acquired, it is possible that the cost may considerably exceed the estimate. On the other hand the cost of acquisition may be kept well within the figure if some portions are left out as suggested above. It is also doubtful whether the sale of sites would fetch more than about Rs.40/- to 45 thousand rupees against the estimated expenditure of Rs.50,000/-.

3 In these circumstances it seems to Government that the whole project may be revised and its financial aspect worked out once more correctly and that if the acquisition is not likely to be self-supporting, it may also be considered whether other suitable action may not be taken under the Regulation in respect of the more insanitary parts of the properties.

4. I am therefore to request you to be so good as to consider the above aspect and prepare and send up a full note in the matter

matter after ascertaining the views of the Municipal Council.

I have the honour to be,

S i r,

Your most obedient servant,

For Chief Secretary to Government.

K M.H 2
26/11

17815

No. d MP 401 / Encl two

17

CITY MUNICIPAL OFFICE,
Bangalore City, Dated 15th June 1929

5628
20 JUNE 1929

FROM

C MACHIA, ESQ., B A.,
PRESIDENT
CITY MUNICIPALITY
BANGALORE CITY

Mul 23-28-26

GEN & REV SECTT
17 JUN 1929
G. O. SECTION

B. Narayanaswami Iyengar, Esq ,B A ,B.L ,
General Secretary to the Government of
His Highness the Maharaja of Mysore,
B a n g a l o r e

S i r,

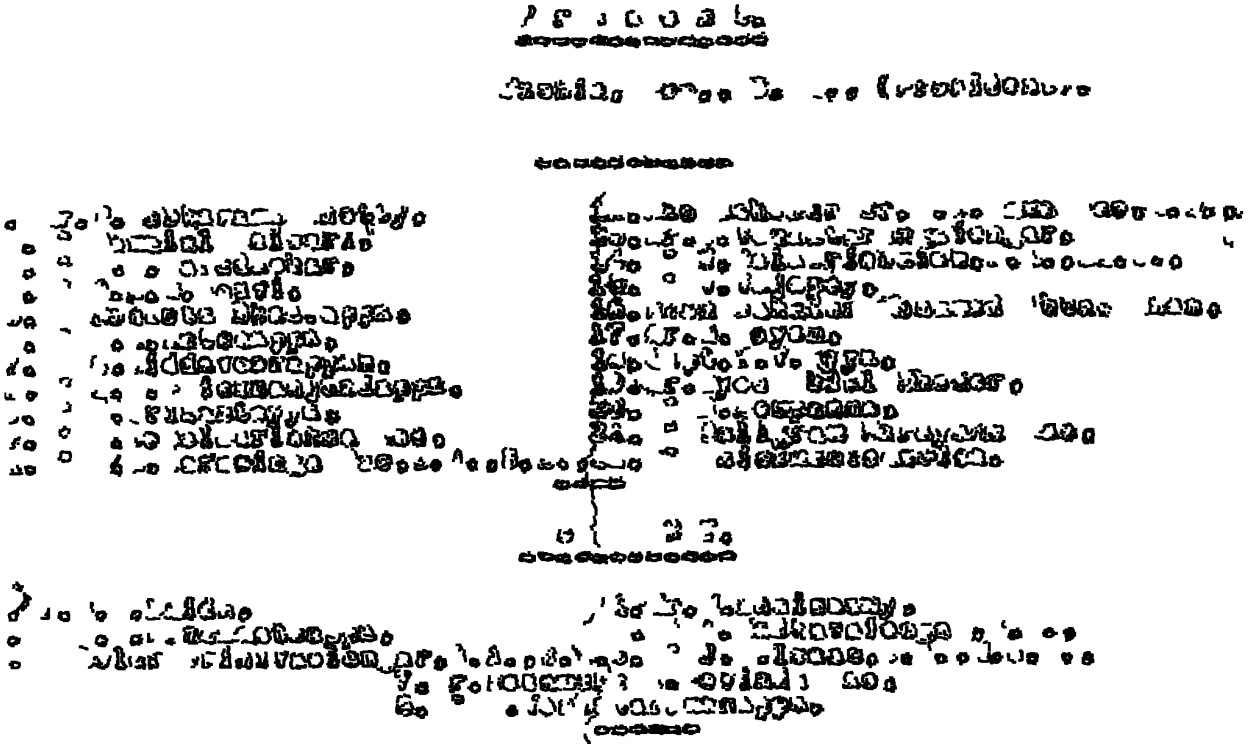
With reference to Chief Secretary's letter No L. 3827/ Mul 23-28-38 dated 27th November 1926, regarding acquisition of certain properties in Subedar Chattram Road for the formation of an Extension, I have the honor to state that the Municipal Council have at the meeting held on 1st June 1929, resolved that as the scheme is not a self-supporting one inasmuch as the expected realisations amount to about Rs 40,000/- only as against Rs 84,000/- being the estimated cost of acquisition and laying out drains, roads, etc , the scheme might be dropped A copy of the Council resolution together with a copy of the Municipal Engineer's report showing the details of the scheme is submitted for information.

2 With regard to the measures to be adopted for improving the Sanitary condition of the locality, the Municipal Engineer is requested to do the needful after obtaining the opinion of the Consulting Architect in the matter.

I have the honour to be,
S i r,
Your most obedient servant,

C Machia
PRESIDENT

SM



19. To consider letter No L 3827/M1.23-28-38 dated 27th November 1928, from the Chief Secretary to Government in the matter of the acquisition of properties in Subedar Chattram -- Road at a cost of Rs 84,000/- as resolved by the Council on 6t April 1927.

Also President's memo dated 28th April 1929, suggesting -- that as the scheme is not a self-supporting one, the expected realisations amount to about Rs. 40,000 only, the scheme may be dropped.

Resolution -- Resolved that the scheme of acquiring these properties be dropped

Sd. C. Machia,
President

"C o p y"

C. Machia

P r e s i d e n t.

3M

Appendix F G—1

SUBJECT

Section Civil
File No. 23-28
Serial No. 79

Diary No. of letter replied to.... 5628

General and Revenue Secretariat

( )

the 192

Date of issue.. 20.7.1929

Signed by

To

The President
Bangalore City Civil
Sir,
With reference to
correspondence ending
with your letter no. A-87
401 dt the 18th June 1929,
stating that the Inhabitants
Cowcaddah have received
at their meeting held on
the 1st June 1929 And the
effect that the ordinance of
acquisition of certain
properties in Cubbon
Chatram Road, City,
might be dropped as

Q867

st of enclosures.....

Copied by

Examined by.....

the case of it being not
a self-supporting one
in as much as the expected
realisations amount to
about Rs 4 crores only, as
against the estimated
expenditure of Rs 8½ crores
towards the cost of regn
& laying out drains,
roads etc., I am decided
to state that the Cabinet
Committee [illegible] to narrow
down the scheme of the locality
undertaking by excluding
the two mud areas mentioned
& the Municipality has to see what it can do to
improve the sanitation
by exercising control
under the Regn and
to a limited extent
by perhaps be useful
& helpful [illegible] to suggest
that all these aspects
may be considered in
arriving at a decision in the matter
have etc.,

The above aspects may be considered [illegible]

Govt 1 Secy to Govt